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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

The former Yugoslav Republic of Macedonia

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eighteenth session from 27 January to 7 February 2014. The review of the former Yugoslav Republic of Macedonia was held at the 8th meeting on 30 January 2014. The delegation of the State under review was headed by Igor Djundev, Director of the Directorate for Multilateral Affairs at the Ministry of Foreign Affairs. At its 14th meeting, held on 4 February 2014, the Working Group adopted the report on the former Yugoslav Republic of Macedonia.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the former Yugoslav Republic of Macedonia: China, Ireland and Namibia.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of the former Yugoslav Republic of Macedonia:

(a) A national report submitted/written presentation given in accordance with paragraph 15 (a) (A/HRC/WG.6/18/MKD/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/18/MKD/2 and Corr.1);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/18/MKD/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Mexico, the Netherlands, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to the former Yugoslav Republic of Macedonia through the troika. Those questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation commenced by emphasizing that the State under review strongly believed in the pivotal role of the multilateral human rights system in monitoring the performance of States in implementing their international obligations. The Government had accepted and implemented the recommendations received during the first UPR cycle and in March 2012 had submitted, on a voluntary basis, a mid-term report on implementation which was the result of consultations with ministries and with the non-governmental sector.

6. In April 2012 the Government had established the Intersectoral Commission for Human Rights, composed of representatives of the Government and independent human rights institutions. It was tasked with the coordination of national human rights policy, follow-up to the recommendations of the treaty bodies and the streamlining of national efforts in that regard. On a number of occasions it had reviewed the implementation of the recommendations received during the first UPR cycle.

7. Responding to questions submitted concerning the justice system, the delegation stated that reform was a government priority. To that end, the Law on Crimi al Procedure

had been amended in 2010 and the amendments implemented in December 2013. Amendments to the Civil Procedure Code had been implemented in 2011. Since January 2013, following the implementation of the amendments to the Law on Courts, all newly appointed first instance judges had been required to be graduates of the initial training delivered by the academy for judges and prosecutors. New information technology software had assisted monitoring of the length of court proceedings since June 2013. Forthcoming activities would be concentrated on the implementation of the framework for further development of the judiciary, which had been adopted in September 2013, and the delegation enumerated the priority areas within the framework.

8. The delegation referred to the range of remedies available for the review of judicial decisions as well as the possibility of accessing the European Court of Human Rights and the individual complaints procedures of the treaty bodies.

9. Turning to non-discrimination, the delegation highlighted the adoption in 2010 of the Law on the Prevention of and Protection against Discrimination (LAPD), which prohibited direct and indirect discrimination and included a non-exhaustive list of grounds for discrimination. The Commission for Protection against Discrimination (CPAD) had been established under that law in 2011. The mandate of the Ombudsman had been strengthened in 2009 with the establishment of departments for the protection of children's rights and the rights of persons with disabilities, and the protection of citizens against discrimination, torture and ill-treatment, and for equitable representation. The 2012-2015 National Strategy on Equality and Non-Discrimination on Grounds of Ethnicity Affiliation, Age, Mental and Physical Disability and Gender had been adopted, as had the 2013 Operational Plan for its implementation.

10. The new Law on Equal Opportunities, adopted in January 2012, explicitly prohibited all forms of discrimination against women in all spheres of society. The 2013-2020 Strategy and the 2013-2016 National Action Plan on Gender Equality had been adopted in line with that Law. Furthermore, the 2012-2015 Strategy on Gender Responsive Budgeting had been adopted, under which State administration bodies were obliged to mainstream the principle of equal opportunity. Every ministry had coordinators to oversee the implementation of the Equality Strategy.

11. The Government had adopted the 2012-2015 National Strategy for the Prevention of and Protection against Domestic Violence and the delegation mentioned that the Law on Social Protection had introduced new forms of non-institutional protection, such as centres for victims of domestic violence, which provide a range of services to victims.

12. Regarding freedom of expression, the delegation confirmed that the Government had developed the Law on Civil Liability for Defamation and Insult in cooperation with the Association of Journalists and with international expertise. With its adoption in 2012, acts of defamation and insult had been removed from the Criminal Code. In 2013, the parliament had adopted the Law on Media and the Law on Audio and Audiovisual Media Services following a wide consultation process with all stakeholders. Continued dialogue with journalists had resulted in a number of amendments to the laws being passed in January 2014. The new amendments specifically promoted and encouraged freedom of expression and ensured that restrictions on media content complied with the case law of the European Court of Human Rights. In December 2013 the Council for media ethics had been established as the self-regulatory media body. The Government was committed to the continuation of the dialogue with the media representatives in order to address the remaining issues, including government campaigns, the strengthening of the role of the public broadcaster and improving the standards of journalism. The Broadcasting Council had improved its enforcement record regarding the illegal concentration of ownership and conflicts of interest.

13. The delegation stated that the Government was continuing to implement reforms in the penitentiary system in line with the recommendations of the Committee against Torture and the European Committee for the Prevention of Torture. With a view to alleviating overcrowding in prison facilities, a strategy on the establishment of a probation service had been adopted. Guidelines on the supervision of prisons had been developed to improve the quality of the supervisory process in prisons and had been applied since 2012.

14. The Government had mandated specialized human rights training for police officers and the delegation noted that, in addition to complying with the Law on Police, under the Code of Police Ethics, police officers were obliged to act in line with the specific needs of certain categories of vulnerable persons. The external control of police work was performed by the parliament and the Ombudsman. Action had been taken to enhance the capacities of the Sector for Internal Control and Professional Standards, including the normative framework and training. The Sector conducted unannounced visits to police stations and inspected the detention facilities and the records of detainees. The Sector also conducted inspections with the Ombudsman and the non-governmental organization (NGO) "All for Fair Trials".

15. With regard to questions concerning the rights of minorities, the delegation stated that the Government was committed to fostering good inter-ethnic relations and implementation of the Ohrid Framework Agreement. In July 2012, a comprehensive report on the status of implementation of all policies deriving from the Ohrid Framework Agreement had been published and follow-up was in process.

16. In respect of questions concerning the Roma, the delegation stated that major efforts had been made to remedy the situation. Government policy centred on the National Strategy for Roma and the 2005-2015 Decade of Roma Inclusion. Municipalities with significant Roma populations had prepared local action plans. The inclusion of Roma children in pre-school education continued to progress. The delegation provided various statistics on education and employment indicating progress in the social inclusion of the Roma. Given the particular vulnerability of Roma women, in 2010 the Government had adopted the second National Action Plan for advancement of the social status of Roma Women, covering the period from 2011 to 2013.

17. Regarding children's rights, the delegation referred to the Government's adoption of a revised 2012-2015 National Action Plan on Children's Rights. That plan had been prepared in cooperation with the United Nations Children's Fund (UNICEF) and it recognized the progress achieved in the health-care and education sectors in particular. A new Law on Child Protection had been adopted in February 2013 which prohibited a wide range of violations of the rights of the child. Sanctions for non-implementation of the provisions of the Law had been made stricter and fines had been introduced. The Centres for Social Work, with specialized staff, provided protection and support to the children involved whenever cases of sexual abuse of children or paedophilia were reported. Furthermore, the Government was working on the identification of specialized foster families for child victims of sexual abuse and paedophilia. In 2008, the crime of trafficking in children had been introduced into the Criminal Code and child pornography had been criminalized. In 2009, the sanctions for computer-based child pornography had been increased.

18. With reference to a question on unaccompanied minors, the delegation pointed out that the Law on Asylum and Temporary Protection prescribed that asylum applications by children should be signed by a legal representative and that unaccompanied minors should be assigned a guardian as soon as possible, in accordance with the Family Law, and should also be offered legal counselling. All necessary measures were undertaken to find the family members of unaccompanied minors and the principle of the best interests of the child was taken into consideration when an asylum application was processed.

19. The delegation stated that the Law on Juvenile Justice had been implemented in 2009 and projects for the advancement of the legal framework had been undertaken and standards for the application of the law drawn up. The State Council for Prevention of Juvenile Delinquency had started operating in 2009 and had adopted a national strategy for the prevention of juvenile delinquency.

20. Referring to the rights of persons with disabilities, the delegation noted that, inter alia, the Government had undertaken a number of activities to ensure better living conditions for persons with disabilities relating to deinstitutionalization, the provision of day centres for persons with mental disability and other matters. The Government planned to further its existing strong partnership with NGOs by funding reliable organizations to provide services locally, while ensuring oversight.

21. In relation to the implementation of the recommendations of the 2011 Election Observation Mission of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, the delegation noted that the ruling and opposition parties had reached an agreement on the necessary amendments to the Electoral Code and they had been adopted by the parliament in January 2014.

22. The delegation noted that the Government had submitted all outstanding reports to the treaty bodies, except for one on the International Covenant on Economic, Social and Cultural Rights, which would be submitted shortly.

23. The head of the delegation ended his introductory remarks by confirming the commitment of the State under review to cooperation and to continuing the reforms.

B. Interactive dialogue and responses by the State under review

24. During the interactive dialogue, 56 delegations made statements. The recommendations made during the dialogue are to be found in section II of the present report.

25. Thailand commended non-discrimination and minority rights legislation. Continued efforts to promote judicial independence were encouraged. Despite the National Strategy on Equalization of Rights of Persons with Disabilities, challenges remained. While noting the Government's efforts to promote the right to health, Thailand expressed concern at the policy shift from preventive health care and access to medical services. It made recommendations.

26. Togo commended the strengthening of the Ombudsman's mandate through the creation of various services for the better protection of citizens. It commended the establishment of CPAD, the mandate of which had been defined in LPAD. It made recommendations.

27. The United Kingdom of Great Britain and Northern Ireland welcomed the election of the country to the Human Rights Council. The Ohrid Framework Agreement would improve inter-ethnic relations, but the Framework review was incomplete and improvements had been delayed. The polarization and opaque funding of the media were a matter of concern. It made recommendations.

28. The United States of America commended the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) and improved prison conditions. It expressed concern about the mistreatment of detainees, detention conditions, the use of public resources for political party activities, interference in the judiciary and the media, the prosecution of political opponents, police impunity and government corruption. It enquired about measures to increase oversight of government officials in order to address those issues. It also expressed concern about ongoing child labour. It made recommendations.

29. On this and some other occasions during the meeting, including in response to a point of order raised by the State under review, the President reminded delegates of the need to adhere to official United Nations terminology when referring to the State under review.

30. In its point of order, the State under review reminded delegates that Security Council resolution 817 (1993) mentioned only a provisional designation and not the name of the country. It also mentioned a judgment of the International Court of Justice which in paragraph 93 referred to the issue of the name of the country and how third countries could address it.

31. Uruguay welcomed the ratification of CRPD and of its Optional Protocol (OP-CRPD) and the signing of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR), collaboration with special procedures of the Human Rights Council, judicial reform, the Ombudsman's efforts in the field of torture, and the Law, Strategy and Action Plan on gender equality. Lesbian, gay, bisexual, transgender and intersex (LGBTI) persons were vulnerable, hiding their identities and avoiding the use of health-care services. It made recommendations.

32. Viet Nam commended recent developments in human rights promotion and protection and welcomed the commitment of the State under review to international human rights cooperation and dialogue. It made recommendations.

33. Albania commended the judicial reform, particularly in relation to the independence and quality of judges. It commended progress on gender equality and enquired about the results of the recently enacted law. It welcomed the adoption of the Strategy on Integrated Education and implementation of the Ohrid Framework Agreement, but expressed concern about the use of the Albanian language, segregated education, learning conditions and textbook review. It made recommendations.

34. Algeria welcomed the adoption of measures at the institutional, legislative and normative levels for the protection of human rights, including the establishment of CPAD, the ratification of CRPD, cooperation with special procedures, improved reporting to the treaty bodies and the submission of a mid-term report on the implementation of the recommendations of the first UPR cycle. It made recommendations.

35. Argentina noted the National Strategy for the Fight against Poverty and Social Exclusion 2010-2020, the 2010-2020 Strategy on Elderly Persons, LAPD and the creation of CPAD. It encouraged normative reforms and the allocation of resources for the strengthening of the institutional framework. It made recommendations.

36. Armenia highlighted the ratification of CRPD and OP-CRPD and the signing of OP-ICESCR. It acknowledged the policies and programmes to protect the rights of the Roma community and welcomed the promotion of gender equality and non-discrimination through the adoption of national strategies. It made recommendations.

37. Australia acknowledged efforts to address discrimination through new legislation. However, the legislation did not address sexual orientation or gender identity. It noted reports of discrimination against Roma and limitations on media freedom. Efforts to improve the penitentiary system were ongoing, but reports of poor conditions persisted. It made recommendations.

38. Austria noted with concern that freedom of expression and of the press had deteriorated. Allegations of politically motivated detention of politicians and journalists had undermined trust in the impartiality of law enforcement agencies and the independence of the judiciary. Attacks against the LGBTI community underscored the need for legal protection for it against discrimination. Unemployment and other concerns of the Roma population should be addressed. It made recommendations.

39. Belarus noted the strengthening of the legal and institutional framework, including judicial reform and independence; the National Action Plan on Children's Rights; the National Coordination Body for Protection of Children against Abuse and Neglect; and the Law on Child Protection. It welcomed efforts to improve inter-ethnic relations, implementation of the Ohrid Framework Agreement, and the social inclusion of Roma. It commended amendments to the Criminal Code establishing punishments for trafficking in persons. It made recommendations.

40. Belgium commended progress since the first UPR cycle, including the ratification of various human rights instruments and the decriminalization of defamation. However, significant challenges remained. It welcomed advances in legislation relating to freedom of expression, but expressed concern regarding freedom of the press. It made recommendations.

41. Bosnia and Herzegovina praised the submission of a mid-term report on the UPR process. It commended the ratification of CRPD and its Optional Protocol, the signing of OP-ICESCR and cooperation with the treaty bodies. It noted the adoption of national strategies on human rights issues and enquired about the mandate of the Intersectoral Commission for Human Rights and possible challenges it faced.

42. Brazil welcomed ratification of CRPD and encouraged ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (CPED). It stressed the importance of strengthening the institution of the Ombudsman and promoting its independence. It also noted the prioritization of non-discrimination against the Roma. Welcoming amendments to the Law on Asylum and Temporary Protection, it suggested that procedures for asylum-seekers should be improved. It noted progress in gender equality, but expressed concern about intolerance towards lesbian, gay, bisexual and transgender (LGBT) persons. It made recommendations.

43. Bulgaria commended the adoption of human rights legislation, increased reporting to human rights treaty bodies and the establishment of the Intersectoral Commission for Human Rights. Given the importance of freedom of expression and independent media, draft media legislation should comply with international standards and it expressed its desire to follow up that issue. It made recommendations.

44. Cambodia welcomed the adoption of new laws and national strategies, for instance on discrimination, gender equality, trafficking and illegal migration. It welcomed the ratification of CRPD and the signing of OP-ICESCR and appreciated the fact that consideration was being given to ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). It made recommendations.

45. Canada asked for information on the implementation of the Law on the Prevention of and Protection against Discrimination. It noted the adoption of legislative measures, national strategies and action plans to promote human rights. Ethnic discrimination was a matter of concern, and the rights of all minorities should be protected. It made recommendations.

46. China noted the ratification of CRPD, the Law and National Strategy on Prevention of and Protection against Discrimination, the Law on Equal Opportunities for Women and Men, the National Action Plan on Gender Equality, the Law on Child Protection and the National Action Plan on Children's Rights. Noting the measures to protect minority rights, it asked what steps would be taken to enhance protection of the rights of Roma, especially women, children and young people. It made a recommendation.

47. The Congo welcomed reforms aimed at enhancing the independence, effectiveness and transparency of the judicial system. LPAD had facilitated human rights training and

awareness-raising campaigns. The National Strategy and Action Plan on Roma had led to progress for them in education, housing, health and employment. It made recommendations.

48. Côte d'Ivoire commended the ratification of international instruments, cooperation with the United Nations human rights mechanisms, the strengthening of the judicial and penitentiary systems and efforts by the Commission for Protection against Discrimination. It took note of policies on human trafficking, freedom of expression, and promotion of tolerance and religious diversity. It made recommendations.

49. Croatia commended actions taken to implement recommendations from the first UPR cycle. It enquired about concrete measures taken to strengthen judicial independence and efficiency and about the impact of new legislation on the backlog of cases. Commending the prioritization of inter-ethnic relations and protection against discrimination, it enquired about concrete measures taken to guarantee the ethnic, cultural, linguistic and religious identities of all communities.

50. The delegation of the State under review pointed out that the International Coordinating Committee for National Human Rights Institutions had awarded "B" status to the Ombudsman in 2011 and had made recommendations that would assist it in achieving an upgrade to "A" status. Those recommendations mainly related to expanding its mandate to encompass promotional activities and improving the procedure for the election of the Ombudsman's deputies. Draft amendments to the legislation on the Ombudsman had been prepared and would be sent to the Government by April 2014.

51. The Intersectoral Commission for Human Rights included independent institutions such as the Ombudsman and the Commission for Protection against Discrimination as well as ministries. It dealt comprehensively with human rights and with the recommendations of international bodies, such as those of the treaty bodies and UPR.

52. The delegation referred to the attention being given to addressing the problems of the Roma community and provided further details of relevant activities. Education was a priority and the inclusion of Roma children in pre-school education was considered to be particularly important. Each year around 450 children had been enrolled in pre-school education free of charge and it was also considered important that they were not segregated but attended together with the other children. The number of first grade Roma pupils increased by 8 per cent between 2005 and 2013. Another programme provided financial incentives for Roma parents to keep their children in secondary school. Roma information centres had been established in 12 municipalities with large Roma populations. Sixteen Roma health mediators had been employed in 8 municipalities. Recent results included assistance in the form of counselling on healthy lifestyles, access to health insurance and the identification of children who had not been immunized. The relevant ministries had coordinated to create groups which reached out to Roma communities to identify persons whose birth had not been registered and assist them in obtaining documentation.

53. The delegation stated that, following the adoption of LAPD, the Ministry of Labour and Social Policy had prepared the National Strategy on Equality and Non-Discrimination (2012-2015). It was being implemented through projects such as the training of some 600 State officials and civil society partners in identifying and combating discrimination; that training would be completed in April 2014. The delegation stated that the Ministry of Labour and Social Policy had prepared the National Strategy on Equality and Non-discrimination, 2012-2015. Implementation activities included strengthening the capacities of the Ministry and relevant partners, in which up to 600 Government officials and civil society partners had been trained to identify and combat discrimination. An intersectoral group had also been established under the Law on Equal Opportunities for Women and

Men to promote the inclusion of gender aspects and gender policies at the central and local levels.

54. Referring to children with special educational needs, the delegation highlighted the right of such pupils to individual assistance. In the 2012-13 academic year pupils with disabilities were accommodated in the regular classes of mainstream secondary schools and in the special needs classes in primary education.

55. Referring to the integration of education across ethnic communities, the delegation highlighted the strategy for integrated education with five thematic areas. A number of measures had already been undertaken towards its implementation.

56. The Czech Republic noted that the importance attached by the State under review to human rights was reflected in its election to the Human Rights Council. The Czech Republic considered that reports indicating a deterioration in the situation of freedom of expression and freedom of the press since the previous cycle of the UPR were regrettable. It made recommendations.

57. Estonia noted the signing of OP-ICESCR and the ratification of CRPD and OP-CRPD. It welcomed the ongoing implementation of the Ohrid Framework Agreement. The rule of law should be strengthened through the implementation of legal and policy frameworks and action to combat corruption. Judicial transparency, independence and impartiality should be addressed. It expressed concern about the deterioration in press freedom but welcomed the decriminalization of defamation. It made recommendations.

58. France welcomed the signing of OP-ICESCR. It welcomed progress towards social cohesion, particularly with respect to the Roma community. It made recommendations.

59. Germany noted improvements in public administration and the judiciary. Expressing concern about deteriorating conditions for human rights defenders, it enquired about steps taken to reduce media defamation of NGOs. It called for the implementation of policies and programmes for the inclusion of Roma and persons with disabilities and for cooperation with NGOs. It expressed concern about deteriorating press freedom. It made recommendations.

60. Greece expressed concern about the excessive prison sentence given to a journalist and deteriorating press freedom, the manner in which the draft laws on the media and on audio and audiovisual media services were being adopted, the lack of transparency of government advertising and self-censorship of the press. Significant reforms were required to safeguard media independence. It made a recommendation.

61. Hungary requested information on the implementation of LAPD. It welcomed efforts to strengthen the mandate of the Ombudsman and amendments to the Law on Asylum but shared the concerns of the Office of the United Nations High Commissioner for Refugees about the vulnerable situation of children. It made recommendations.

62. Indonesia noted the focus on judicial reform to ensure its independence and efficiency. Indonesia welcomed efforts to attain accreditation for the Ombudsman with the International Coordinating Committee for National Human Rights Institutions and urged that efforts be made to ensure compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It welcomed steps to prevent discrimination against all groups, including Roma, and to promote cultural diversity. It made recommendations.

63. Iraq welcomed the ratification of CRPD and the State's cooperation with the special procedures. It commended measures taken to ensure judicial independence and the rights of children and persons with disabilities and to prevent discrimination and torture. It welcomed the National Action Plan on Gender Equality, efforts to increase women's

representation and the National Strategy for the Fight against Poverty and Social Exclusion. It made a recommendation.

64. Ireland noted the adoption of legislation on discrimination, albeit not explicitly protecting LGBT persons, the decriminalization of defamation and the visits by two special procedures mandate holders. It was concerned at continuing discrimination and the failure to ensure the Roma population's right to the highest health standards. It made recommendations.

65. Italy appreciated the progress made by the State under review, including in children's and property rights and in data protection, but was concerned about the closure of a number of independent media outlets since the previous UPR. It welcomed ratification of CRPD. It made recommendations.

66. Libya commended the State under review for ratifying the CRPD and its Optional Protocol, and adopting a national strategy dedicated to ensuring equal opportunities for women and men and a national action plan on gender equality. It highlighted achievements in the field of the rights of the child. It made a recommendation.

67. Liechtenstein acknowledged efforts to combat discrimination against women and children and strengthen their rights by adopting legislation on equal opportunities for women and men and on child protection, and subsequently implementing strategies and national action plans. It acknowledged the commitment of the State under review to international justice. It made recommendations.

68. Lithuania commended the ratification of CRPD and its Optional Protocol. It noted the adoption of legislation on the media and audiovisual media services and on equal opportunities for women and men, although it highlighted continued reports of discrimination against women in law and in practice. It made recommendations.

69. Malaysia acknowledged the progress made in women's empowerment and children's rights, particularly through the adoption of national action plans. It commended efforts to revise and adopt standard operating procedures, a strategy and an action plan for combating trafficking in persons and illegal migration, and efforts to provide training for law enforcement officials. It made a recommendation.

70. Mexico welcomed the Government's cooperation with the human right mechanisms during visits to the country and through reports submitted to treaty bodies. It trusted that the UPR mechanism would assist the State under review to overcome its human rights challenges. It made recommendations.

71. Montenegro noted the adoption of anti-discrimination legislation and the establishment of a commission for that purpose. It requested information on the Commission's achievements thus far. It welcomed the adoption of a strategy to combat domestic violence and the establishment of a dedicated coordination body. It requested information on achievements in combating trafficking in persons.

72. Morocco commended amendments to legislation strengthening the Ombudsman's mandate to create departments to protect the rights of vulnerable groups. It requested more information on the mandate and operation of the Intersectoral Commission for Human Rights. It noted judicial reforms and amendments to the Law on Civil Procedure and the new Law on Criminal Procedure. It made a recommendation.

73. Namibia appreciated the level of cooperation by the State under review with regional and international human rights mechanisms, including by strengthening its Intersectoral Commission for Human Rights. Namibia further noted the establishment of frameworks to promote and mainstream gender equality, including a new law, strategy and action plan. It made recommendations.

74. The delegation of the State under review stated that judicial reform was being continuously undertaken, with measures aimed at strengthening the independence, impartiality and professionalism of the judiciary. Legal amendments had introduced new conditions for the election of judges, for disciplinary procedures and for career advancement using objective and measurable criteria. Transparency had also been increased by requiring courts to appoint public relations officers.

75. The delegation mentioned that the general aim of the new Law on Criminal Procedure was to establish a functional justice system based upon European standards, guaranteeing human rights within a simple and economical procedure with a focus on the nature and seriousness of the offence, the status of the defendants and victims and the need to protect society. In relation to pretrial detention, the new law required that special care be taken to balance the severity of the crime, the sentence which could be expected and the duration of and necessity for detention. The delegation provided more details of the provisions regulating court decisions on pretrial detention and also highlighted a recent public hearing in the parliament on the issue. The Directorate for Execution of Sanctions was committed to improving the material conditions in prisons. The delegation underlined the significance of the 2009 European Union Instrument for Pre-Accession Assistance project implemented in cooperation with the Council of Europe, "Capacity building of the law enforcement agencies for appropriate treatment of detained and sentenced persons", and said that a national strategy on the development of the penitentiary system would be developed. Attention was also being given to a sustainable training system for prison staff.

76. In relation to questions on the ratification of the Kampala amendments to the Rome Statute of the International Criminal Court, the delegation mentioned that the criminal act of aggression had already been incorporated into amendments to the Criminal Code which were currently in the parliamentary procedure.

77. The delegation pointed out that it was difficult to set a time frame for the implementation of the Ohrid Framework Agreement because it was a continuous process and the prime objective had been met. Implementation remained a Government priority. The Government continued to implement employment programmes for members of ethnic communities which were not in the majority. It also mentioned activities such as the training of interpreters in the Albanian language for the public administration. With regard to the institutional framework, the delegation mentioned the Secretariat for the Implementation of the Framework Agreement and the Agency for the Realization of the Rights of the Communities.

78. The delegation stated that the Ministry of the Interior reacted to every reported occurrence of hate speech. The Unit for Cyber Crime monitored announcements of meetings and other forms of dissemination of hate speech and maintained contact with the administrators of web portals. Internet service providers were responsible for the published content of their online services.

79. The delegation also stated that the Sector for Internal Control and Professional Standards investigated and acted upon all reports of excessive use of force by the police. The Ministry of the Interior had undertaken capacity-building to build a positive approach on the part of the police towards all citizens, regardless of their sex, race, colour, national and social origin, political and religious beliefs, property and social status. Projects had been undertaken to build trust with the Roma community.

80. The Netherlands encouraged the Government of the State under review to step up its efforts to further enhance civil and political rights for all, regardless of sexual orientation and gender identity, to further strengthen judicial independence and to ensure freedom of the media. It made recommendations.

81. Nigeria noted the efforts to align domestic legislation with international human rights instruments and urged that work to promote and protect human rights should be continued. Nigeria commended the submission of a mid-term report on the UPR process. It called on the State under review to ensure the protection of children's rights and invited it to take steps to ensure press freedom in line with international best practices. It made recommendations.

82. The Philippines commended the continued efforts of the State under review to harmonize its national and institutional frameworks with international human rights instruments. It recognized its achievements in introducing reforms to strengthen judicial independence and its progress in combating discrimination and gender inequality. It made recommendations.

83. Poland acknowledged the constructive cooperation by the State under review with international human rights institutions, especially treaty bodies established under United Nations and Council of Europe conventions. It was concerned about the increased marginalization of Roma women and children, all the forms of discrimination they faced and their difficulty in accessing health care and social systems. It made recommendations.

84. Portugal welcomed the progress by the State under review towards attaining "A" status accreditation for the Ombudsman in accordance with the Paris Principles. It welcomed the adoption of anti-discrimination legislation and the establishment of a dedicated commission. It commended it for the adoption of the Strategy for Integrated Education. It made recommendations.

85. The Republic of Moldova commended the judicial reforms and encouraged the efforts to strengthen judicial independence. It welcomed the strategies developed on children's rights, domestic violence, human trafficking and gender equality and called for their adequate resourcing and full implementation. It regretted the reported rise in child sexual abuse and exploitation and requested further data on victims of such offences and action taken. It made recommendations.

86. Romania considered that recent visits of special rapporteurs showed the Government's commitment to cooperating with international human rights mechanisms. It appreciated the measures to protect the rights of minority groups. Support for smaller community projects could stimulate mother tongue usage in the mass media and religious services. It made a recommendation.

87. The Russian Federation commended the progress of the State under review in improving human rights mechanisms and protecting the civil and political rights of ethnic minorities. It made recommendations.

88. Senegal congratulated the State under review for its commitment to promoting and protecting human rights, as evidenced in the country's recent accession to several international instruments, including CRPD and its Optional Protocol. Senegal welcomed the measures to combat discrimination against women, children and persons with disabilities. It made recommendations.

89. Serbia commended the prioritization of judicial independence and legislative reforms, particularly the adoption of the Law on Criminal Procedure. It commended the level of inter-community tolerance, government respect for minority community rights and measures ensuring the functioning of media services for minority groups. It welcomed the adoption of anti-discrimination legislation and the establishment of a dedicated independent body in that regard. It emphasized the importance of cooperation between the Government and independent human rights institutions with NGOs and media professionals to promote inter-community tolerance.

90. Slovakia commended measures for judicial reform, but called for stronger action to ensure judicial independence. It asked what additional measures were envisaged to expedite legal proceedings and reduce the number of pending cases. It noted that the prison system remained underfunded and understaffed. Prison overcrowding, conditions for juveniles and the complaints system remained a concern. It made recommendations.

91. Slovenia welcomed the adoption of legislation prohibiting direct and indirect discrimination, but noted that discrimination on grounds of ethnicity and sexual orientation persisted. It noted concerns over reported hostilities motivated by sexual orientation. It was concerned at discrepancies in education levels between boys and girls and at reports of undocumented children. It made recommendations.

92. Spain commended efforts to improve the enjoyment of the right to freedom of expression, but recognized that shortcomings in that area remained. It noted that measures had been adopted to improve the situation of the Roma people, but that they rarely participated in decision-making on issues likely to affect them. It made recommendations.

93. Sweden commended efforts to undertake judicial reforms in line with international standards, but noted an increase in claims of selective justice. It noted reports of poor media freedom, a lack of consultation of civil society on new draft media laws, funding for public advertising for political purposes and self-censorship. It made recommendations.

94. Switzerland remained concerned about persistent discrimination against minority and other groups. The situation of women from minority ethnic groups, especially Roma, warranted special attention. It was concerned about freedom of expression, the extension of executive powers in legal matters, prison conditions and detainee mistreatment. It made recommendations.

95. Responding to questions about CPED, the delegation of the State under review pointed out the complexity of the legislation involved, but said that the Government was working on legislative amendments to allow ratification.

96. LAPD contained a non-exhaustive list of grounds for discrimination and CPAD acted upon applications concerning discrimination based upon sexual orientation. The delegation provided statistics relating to those cases. The Commission was also initiating a project with NGO partners to survey the situation of the LGBT population.

97. In relation to the mission of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the delegation reported that the Government was awaiting the report and would continue to cooperate with the Special Rapporteur.

98. The delegation reaffirmed the Government's commitment to continuing the dialogue with the media associations on the remaining issues of concern to them. That dialogue had recently resulted in the adoption of several amendments to the new media laws, including a provision that provided for the Association of Journalists and other members of civil society to have the majority of the seats in the new Council for Audio and Audiovisual Services.

99. The delegation pointed out that the Ministry of Labour and Social Welfare was implementing public housing projects under which 10 per cent of the housing would be allocated to members of the Roma community and that, under another project, 100 apartments had been built for Roma asylum seekers from the region. Roma were also assisted by programmes such as one for active employment and also through measures under the Ohrid Framework Agreement, which had resulted in the employment of 150 Roma officials in government ministries. Street children were assisted at day centres staffed by social workers.

100. In conclusion, the head of delegation emphasized that the delegation had taken note of the suggestions and recommendations made, that he regarded the interactive dialogue as being instrumental in the country's efforts in relation to human rights protection and promotion. He thanked all those involved.

II. Conclusions and/or recommendations

101. **The following recommendations will be examined by the former Yugoslav Republic of Macedonia, which will provide responses in due time, but no later than the 26th session of the Human Rights Council in June 2014.**

101.1. **Complete the process of ratification of relevant international instruments (Côte d'Ivoire);**

101.2 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) (France) (Iraq) (Poland) and proceed to recognize the competence of its Committee (Uruguay); Ratify without delay CPED and translate it into national legislation (Belgium); Continue the efforts initiated to ratify CPED, as well as the main international instruments on human rights to which the country is not yet a party (Argentina);**

101.3 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);**

101.4 **Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);**

101.5 **Ratify the Kampala amendments to the Rome Statute (Estonia) (Liechtenstein), if possible with a view to contributing to the activation of the jurisdiction of the International Criminal Court over the crime of aggression at the beginning of 2017 (Liechtenstein);**

101.6 **Stop all ill-treatment, particularly in prisons and improve detention conditions, respecting its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Switzerland);**

101.7 **Establish a clear procedure for the implementation of and financial support for the national strategies and plans for the protection of human rights (Russian Federation);**

101.8 **Complete the review of the Ohrid Framework Agreement and implement its recommendations by mid-2014 (United Kingdom of Great Britain and Northern Ireland);**

101.9 **Further review and strengthen measures in place towards full implementation of the Ohrid Framework Agreement aiming at integration without assimilation, especially on issues of use of the Albanian language and in providing the necessary conditions for education in minority languages (Albania);**

101.10 **Keep up its efforts aimed at increasing the transparency in the appointment process of the Ombudsman and introduce the necessary legislative changes in order to reinforce the institutional capacities of the Office and bring its competences in line with the Paris Principles (Hungary);**

101.11 **Give full effect to the opinion submitted by the Ombudsman to the Government regarding the need to make additional amendments to the legislation to make the institution consistent with the Paris Principles (Togo);**

101.12 **Enhance the support for the Office of the Ombudsman and strengthen the Commission for Protection against Discrimination to ensure that both institutions fulfil their duties effectively and independently (Bulgaria);**

101.13 **Take measures to strengthen the Office of the Ombudsman, in order to fully adjust it to the Paris Principles, allocating it with adequate resources and more qualified personnel (Uruguay); Establish a national institution for the promotion and protection of human rights in conformity with the Paris Principles (Congo); Take the necessary measures to guarantee full conformity of the national human rights institution with the Paris Principles (Morocco); Accelerate finalization of the necessary amendments to the legislative measures to ensure the accreditation of the Ombudsman's Office with an "A" status in line with Paris Principles (Namibia); Establish the Ombudsman as an autonomous body under public law and its full use for the protection of human rights (Portugal);**

101.14 **Endeavour to put in place structures that guarantee the citizenship rights of its people (Nigeria);**

101.15 **Run further public awareness campaigns on legal protection against discrimination (Cambodia);**

101.16 **Continue to implement the laws and policies prohibiting direct and indirect discrimination, on the rights of persons with disabilities, on equal opportunities for women and men on child protection as well as action plans to better protect the rights of women, children and persons with disabilities (China);**

101.17 **Pursue policies aimed at ensuring equal opportunities (Côte d'Ivoire);**

101.18 **Punish perpetrators of hate speech and incitement to discrimination in accordance with the law (Togo);**

101.19 **Give a strong response to hate speech, including in offline and online media and systematically denounce expressions of intolerance by opinion leaders (Bulgaria);**

101.20 **Prohibit all forms of discrimination and violence against women (Brazil);**

101.21 **Adopt further measures to ensure gender equality in the society, including through the accession to and effective implementation of relevant international and regional treaties (Viet Nam); Amend its laws on gender equality and explicitly prohibit all forms of discrimination against women by adopting appropriate national legislation (Congo); Further continue promoting gender equality in order to explicitly prohibit all forms of discrimination against women (Armenia); Consolidate its efforts towards gender equality[1] (Namibia);**

[1] The recommendation as read during the interactive dialogue: Consolidate its efforts towards gender equality by establishing a line ministry fully responsible for this purpose (Namibia).

101.22 **Continue to implement existing legislation related to gender equality in order to ensure that men and women are treated equally and stereotypes regarding women are eradicated (Lithuania);**

101.23 **Fully implement the recommendations of the Convention on the Elimination of All Forms of Discrimination against Women issued in 2013 regarding the situation of women, including temporary special measures to ensure non-discrimination of women belonging to minorities, and allocating adequate funding for the national action plans and strategies aimed at eliminating all forms of discrimination against women belonging to the Roma population (Spain);**

101.24 **Enhance dialogue with and assistance to vulnerable groups, in particular ethnic minorities (Viet Nam);**

101.25 **Allow free movement of Albanian and Roma minorities and resolve the problem of lack of identity documents, which constitutes an obstacle to the exercise of their rights (Congo);**

101.26 **Continue its efforts to ensure non-discrimination among all groups of the society, including Roma communities, including through public awareness-raising campaigns (Indonesia);**

101.27 **Launch a campaign for the birth registration of children and adults living on the streets and for those belonging to ethnic minorities to facilitate the obtaining of identification documents (Mexico); Strengthen efforts to ensure retroactive birth registrations and issuance of documents for children lacking such documentation as well as to ensure that children lacking identity documents are not refused access to health, education and other public services, including child allowances (Namibia); Ensure full birth registration, including by retroactive registration, and access to public services, including to education for children lacking documentation (Slovenia);**

101.28 **Analyse the results of the policy of inclusion of the Roma, assess the remaining challenges yet to be addressed, especially regarding the fate of women and girls, and attach measures to it as well as reserve the required budget (Belgium); Continue to work towards improving the living conditions of the Roma population in general and, in particular, of vulnerable children (Congo); Intensify their efforts to secure and effectively implement the existing policies designed for the integration of the Roma minority (Poland);**

101.29 **Strengthen policies and activities that support the Roma, to achieve the objectives of the Decade of Roma Inclusion (Algeria);**

101.30 **Take further concrete and effective steps towards social inclusion for Roma people (Australia);**

101.31 **Follow up on cases of discriminatory treatment of the Roma population in the area of employment and provide equal chances and treatment to Roma children with regard to education (Austria);**

101.32 **Take steps to address challenges faced by Roma women and girls in the areas of health care and employment (Canada);**

101.33 **Encourage the active participation of the Roma population in the decision-making regarding measures that affect them (Spain);**

101.34 **Develop prevention and penalization strategies to address incidents of racism against the Roma population that are detected, including the establishment of a National Observatory against Racism (Spain);**

101.35 **Ensure that no disadvantage shall result for citizens from the exercise of their right to identify themselves with any ethnic group (Bulgaria);**

101.36 **Immediately step up its efforts to eliminate all forms of discrimination based on ethnic origin, religion, gender and sexual orientation (Switzerland);**

101.37 **Intensify efforts to combat effectively the manifestations of hatred suffered by minorities (France); Endeavour to tackle issues of discrimination, particularly discrimination on grounds of ethnicity and linguistic traditions (Nigeria); Continue to improve the legislation framework in the fields of the protection of national and ethnic minorities from discrimination (Russian Federation);**

101.38 **Take concrete measures to strengthen the legislation to combat all forms of discrimination, including those related to sexual orientation, and step up new awareness campaigns to combat all forms of discrimination, including those based on gender, ethnic origin, sexual orientation or gender identity (Uruguay);**

101.39 **Strengthen actions to ensure the effective implementation of laws against discrimination, in particular discrimination based on sexual orientation (Argentina);**

101.40 **Fight impunity for violence against marginalized persons motivated by their ethnicity, religion, or sexual orientation, particularly through an improved awareness of public opinion, and the police and judicial authorities (Belgium);**

101.41 **Conduct public awareness campaigns to promote tolerance and the principles of equality and non-discrimination including on the basis of sexual orientation and gender identity (Brazil);**

101.42 **Implement fully and without delay the 2010 anti-discrimination law, by integrating provisions covering discrimination based on sexual orientation (Belgium); Ensure that discrimination based on sexual orientation and gender identity are specifically included in the Anti-Discrimination Act and related programmes (France); Align the national anti-discrimination legislation with the European Union standards, in particular in relation to the rights of LGBTI persons (Italy); Explicitly prohibit discrimination on the grounds of sexual orientation, which is not included in the Law on the Prevention of and Protection against Discrimination (Slovenia);**

101.43 **Introduce legislation that explicitly protects LGBT persons from discrimination (Ireland);**

101.44 **Include a specific prohibition of discrimination based on sexual orientation and gender identity in line with international standards in the anti-discrimination legislation and take appropriate measures to end impunity for violence and intimidation of the LGBT community (Netherlands); Adopt measures to prevent incidents of violence on the grounds of sexual orientation (Canada);**

101.45 **Amend anti-discrimination legislation to include sexual orientation and gender identity as specific grounds for discrimination and to open prompt,**

impartial and effective investigations into attacks on LGBTI individuals or organisations (Austria);

101.46 **Strengthen anti-discrimination legislation to prohibit discrimination on the basis of sexual orientation and gender identity, and take effective measures to combat violence and discrimination against LGBTI people (Australia);**

101.47 **Launch a campaign to disarm the civilian population that supports the reduction of death rates related to gun violence (Mexico);**

101.48 **Develop a professional management approach within prisons as recommended by the Council of Europe's Committee for the Prevention of Torture (United States of America);**

101.49 **Continue efforts to ameliorate prison conditions, including steps to address overcrowding and violence, as well as improving access to health care, education and recreational activities (Australia);**

101.50 **Take effective measures to bring conditions of detention in line with international standards, notably with regard to the overcrowding of prisons (Germany);**

101.51 **Continue reforms of the penitentiary system with special focus on human rights training for penitentiary staff (Slovakia);**

101.52 **Adopt measures to raise awareness to prevent incidents of child, early and forced marriage and take steps to investigate and prosecute any cases thereof (Canada);**

101.53 **Strengthen existing criminal and family laws or adopt a comprehensive law that addresses all forms of violence against women, including domestic and sexual violence, ensuring that all women and girl victims of acts of violence are protected by these laws and have access to immediate means of protection as well as to reparation, and that perpetrators are prosecuted (Uruguay);**

101.54 **Strengthen policies aimed at the protection of children and the prevention of domestic violence (Côte d'Ivoire); Intensify its efforts to combat domestic violence and its efforts to ensure that victims of domestic violence have access to adequate assistance, including legal and psychological counselling, medical help and shelter (Liechtenstein);**

101.55 **Step up measures to safeguard the rights of the child, including by preventing discrimination against children of disadvantaged or vulnerable groups, and by stronger implementation of child labour laws and the revised 2012-2015 National Action Plan on Children's Rights (Philippines);**

101.56 **Implement legislation prohibiting corporal punishment of children in the home and conduct awareness-raising campaigns on the harmful effect of corporal punishment and on the use of alternative and non-violent forms of discipline in a manner consistent with the child's dignity (Liechtenstein);**

101.57 **Take the necessary measures to effectively eliminate the worst forms of child labour (United States of America);**

101.58 **Continue to exert more effort to abolish child trafficking and sexual abuse of children and guarantee health and psychological care especially to the victims of rape; Rehabilitate them and support their inclusion in society; Ensure the prosecution and punishment of the perpetrators of those crimes and**

that they will not be exonerated (Libya); Continue its measures in the fight against the sexual abuse and exploitation of children by strengthening the implementation of its relevant national action plan (Malaysia); Improve prevention, detection, investigation, prosecution and punishment of those responsible for offences covered under the OP-CRC-SC, including through cooperation with neighbouring countries (Republic of Moldova);

101.59 **Further develop efforts in the fight against trafficking in persons, including measures to protect victims. Strengthen efforts for the prevention of labour and sexual exploitation (Belarus); Intensify efforts to combat trafficking in persons while ensuring that appropriate access to remedy is provided to trafficking victims (Philippines);**

101.60 **Continue its effort in the active implementation of the National Strategy for the Fight against Human Trafficking and Illegal Migration (Cambodia);**

101.61 **Renew its respect for the rule of law by observing a strict separation between State and party activities and ensuring an independent judiciary and media (United States of America);**

101.62 **Ensure that there is a strict respect of the separation of powers and that laws are not applied selectively (Switzerland);**

101.63 **Implement measures under the rule of law chapter of the Reform Agenda as developed in the European Union High Level Accession Dialogue, to ensure that law enforcement agencies and the judiciary can work independently, without being politically influenced (Austria);**

101.64 **Pay due attention to transparency issues of the judiciary (Estonia);**

101.65 **Increase efforts to strengthen the merit-based recruitment of judges, inter alia, by effectively implementing the new Law on Courts requiring all newly appointed first-instance judges to have graduated from the Academy for Judges and Prosecutors two-year training programme (Sweden);**

101.66 **Continue its efforts to strengthen the judicial system and consolidate its independence (Morocco);**

101.67 **Strengthen efforts to consolidate the independence of the judiciary and to speed up implementation of measures aimed at reducing the backlog of cases before domestic courts (Slovakia);**

101.68 **Take more steps to protect the rights of all persons under legal processes of criminal justice and to guarantee due processes are applied to all of them (Viet Nam);**

101.69 **Take all necessary steps to strengthen public confidence in the justice system and limit the use of pretrial detention as strictly necessary (France);**

101.70 **Ensure that children are not treated as adult offenders in the administration of juvenile justice and that they are deprived of their liberty only as a measure of last resort (Republic of Moldova);**

101.71 **Enact a law on transparency in the allocation of public sector contracts including the allocation of works for the construction sector and the allocation of contracts to media (Mexico);**

101.72 **Improve media policy and regulations in order to ensure freedom of the press and of expression and to facilitate a more diverse media market (Australia);**

101.73 **Take steps to ensure media freedom and protection of journalists, including protection from political pressure and undue civil defamation lawsuits (Austria);**

101.74 **Prevent the introduction of new laws that would go against media pluralism and freedom (Belgium);**

101.75 **Examine the allegations of intimidating independent media by State institutions and ensure that appointments of members of the Broadcasting Council are made with an emphasis on the impartiality and professionalism of the candidates (Czech Republic);**

101.76 **Create an enabling environment for the independent operation of various media outlets, including guaranteeing their access to effective remedies in cases of alleged political pressure and interference (Czech Republic);**

101.77 **Continue to ensure the independence of the media and the press (Germany);**

101.78 **In cooperation with the media, implement the agreed action plan within the dialogue between the Government and the media community on improvement of media freedoms (United Kingdom of Great Britain and Northern Ireland);**

101.79 **Adopt all necessary measures to ensure freedom of expression by ensuring equal treatment of the media and by avoiding any interference with freedom of the press (France);**

101.80 **Introduce adequate measures with a view to promoting freedom of expression as well as media freedom (Greece);**

101.81 **Guarantee freedom of expression and media and ensure that national legislation fully complies with international freedom of expression standards (Lithuania);**

101.82 **Organize inclusive consultations with journalists and media in order to resolve disputes that exist concerning the new media law (Belgium); Engage constructively in consultations with civil society, broadcasters and other relevant stakeholders in order to cease the current status quo and public discontent over the procedure and content of the new draft media laws (Sweden); Re-launch the dialogue between government and media representatives with a view to encouraging pluralism in the media and strengthening the right of everybody to seek, receive and impart information and ideas of all kinds, without interference by public authority (Italy); Restart the dialogue with media representatives on the road map for the implementation of the activities to safeguard freedom of expression in the country, those activities which are a priority in the framework of the High Level Accession Dialogue (Netherlands); Continue regular dialogue between the government and journalists in order to reach an agreement on pending issues in the media sector (Estonia);**

101.83 **Continue strengthening the legislation and measures for an appropriate exercise of freedom of expression, and ensure that the civil defamation law is not used to avoid political criticism (Spain);**

101.84 **Ensure that the new legislation regarding the media is applied in such a way that the media's independence and pluralism is not undermined (Switzerland);**

101.85 **Facilitate the establishment of an appropriate self-regulatory media system (Belgium);**

101.86 **Ensure that the broadcasting of the public broadcaster is balanced and not favourable to any political party and that the Broadcasting Law is not applied selectively and abused for political process (Czech Republic);**

101.87 **Develop policies and measures to ensure equal access to services, particularly access to mainstream education, and participation of persons with disabilities in the elaboration and evaluation of programmes which concern them (Thailand);**

101.88 **Step up the actions in favour of fighting poverty and social exclusion, focusing on minorities and vulnerable persons (Senegal);**

101.89 **Develop primary health care guaranteeing access to medical services for all children, particularly those from the Roma community (Thailand);**

101.90 **Carry out a country-wide Roma needs assessment and health status study in consultation with Roma, Roma organizations, and health professionals, as the first step to defining a new national plan of action for ensuring that Roma have access to the highest attainable standard of health (Ireland);**

101.91 **Continue the implementation of national educational programmes and strategies in order to ensure that every child has equal access to education (Armenia);**

101.92 **Prioritize the education of its citizens (Nigeria);**

101.93 **Adopt further appropriate measures in order to improve the quality of education for the pupils belonging to national minorities, especially for those learning in lesser used languages (Romania);**

101.94 **Continue efforts to integrate Roma children into the education system (Algeria);**

101.95 **Pay particular attention to the access to education for all children, especially children from ethnic or religious minorities and children with disabilities (Belgium);**

101.96 **Continue its efforts in ensuring that the education system will benefit all groups in the society regardless of their backgrounds (Indonesia);**

101.97 **Address barriers to the education of women and girls and reduce their dropout rates, especially among girls from ethnic minorities (Slovenia);**

101.98 **Take further measures for the implementation of the Strategy on Integrated Education and to provide adequate State funding to be allocated for the implementation of this Strategy (Albania); Further implement integrated education and address the negative impact of ethnic segregation in schools, including through implementing common activities and policies to promote interaction between children of all linguistic and ethnic backgrounds (Slovenia);**

101.99 **Ensure that non impediments to the preservation, expression and development of cultural identity by all citizens are created (Bulgaria);**

101.100 **Continue efforts to ensure the rights of persons with disabilities aiming at the creation of the legal and institutional frameworks for the implementation of the Convention on the Rights of Persons with Disabilities, taking into account the national strategy adopted for 2010-2018 (Belarus);**

101.101 **Increase efforts to improve the protection of the rights of children with disabilities and their social inclusion in the education system, also by modernizing centres for social work and providing them with adequate human and financial resources (Italy);**

101.102 **Establish a procedure for determining the best interest of the children during all asylum and refugee processes (Hungary);**

101.103 **Continue to improve the condition of all migrants, particularly with regard to access to health, education and other social services, and accelerate efforts towards accession to ICRMW (Philippines);**

101.104 **Enhance the efforts aimed at monitoring the accomplishment of the human rights obligations relating to the enjoyment of a safe, clean, healthy, and sustainable environment, particularly with regard to air quality and industrial pollution (Italy).**

102. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of the former Yugoslav Republic of Macedonia was headed by Ambassador Igor Djundev, Director of the Directorate for Multilateral Affairs at the Ministry of Foreign Affairs and composed of the following members:

- Mr. Dusko Uzunovski, Minister Counsellor, Chargé d'affaires a.i., Permanent Mission, Geneva
- Mrs. Elena Grozdanova – State Counsellor at the Ministry of Labour and Social Policy
- Mrs. Svetlana Geleva, Assistant Director – Directorate of Multilateral Affairs at the Ministry of Foreign Affairs
- Mrs. Aneta Stanchevska, Assistant Minister – Ministry of Interior
- Mr. Atulla Kasumi – State Counsellor at the Secretariat for the Implementation of the Ohrid Framework Agreement
- Mrs. Mabera Kanberi – Head of Sector at the Ministry of Labour and Social Policy
- Mr. Redzep Ali Cupi – Director of the Directorate for Promotion and Development of the Languages in the Education for Ethnic Minorities
- Ms. Elena Bodeva, Human Rights Officer, HR Unit at the Ministry of Foreign Affairs
- Ms. Sanja Dimovska, Desk Officer at the Sector of International Legal Cooperation at the Ministry of Justice.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Comoros

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eighteenth session from 27 January to 7 February 2014. The review of the Comoros was held at the 9th meeting on 31 January 2014. The delegation of the Comoros was headed by Abdou Ousseni, Minister of Justice, Civil Service, Administrative Reform, Human Rights and Islamic Affairs. At its 14th meeting, held on 4 February 2014, the Working Group adopted the report on the Comoros.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Comoros: Benin, the Czech Republic and Germany.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of the Comoros:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/18/COM/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/18/COM/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A HRC/WG.6/18/COM/3).

4. A list of questions prepared in advance by the Czech Republic, Germany, Liechtenstein, Mexico, Slovenia, Spain, the Netherlands and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Comoros through the troika. Those questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Comorian delegation, led by Mr. Abdou Ousseni, recalled the importance of human rights in the governance strategy of Comoros. The Minister had been keen to lead the delegation and presented the report himself.

6. The delegation stressed the political stability, national cohesion and ongoing efforts to strengthen the rule of law in the country, which had enabled the Government to implement the 52 recommendations that had been accepted in 2009 and to reconsider the 7 recommendations that Comoros had not supported.

7. The report for the universal periodic review was the outcome of inclusive consultations with stakeholders that had addressed the difficulties in furthering and realizing human rights caused by the country's lack of human and financial resources, despite strong political will.

8. Since 2009, the requested ratifications had been made. Several instruments of ratification had not reached the United Nations Secretariat, but the necessary steps would be taken to remedy the situation.

9. Comoros had strengthened civil and political rights. A national human rights policy had been adopted in November 2012.

10. Comoros was working to combat torture and other cruel, inhuman and degrading treatment and punishment. Torture was criminalized under the bill to revise the Criminal Code, which also prohibited trafficking in persons and abolished the death penalty. It was recalled that, in compliance with the United Nations moratorium on the use of the death penalty, no prisoners had been executed since 2009.

11. Progress had been made in improving the living conditions of prisoners. Huge progress had been made in developing the infrastructure and capacity of the justice system, particularly with regard to dealing with minors. However, it was difficult to achieve the required level given the Government's limited financial resources.

12. Good governance was a major area of concern. A National Committee for Human Rights and Freedoms, a National Commission to Prevent and Combat Corruption a Procurement Commission and an audit chamber in the Supreme Court had recently been set up.

13. Many women had participated in free, democratic and transparent elections in 2010.

14. Genuine efforts were being made to strengthen economic, social and cultural rights. They had been endorsed by the international financial community, and had qualified Comoros for support under the Heavily Indebted Poor Countries Initiative.

15. The Government supported the private sector and the business environment had improved. The Investment Code had been amended and investors enjoyed certain advantages over five years.

16. The tourism sector, which was a major source of employment, had been revived. Technical education was encouraged.

17. Labour legislation had been strengthened to enhance protection for workers. The legislation governing the social insurance fund had been amended to provide greater clarity and facilitate access to health benefits.

18. The constitutional right to form and join trade unions was regulated by the Labour Code. The Administrative Court and the Labour Inspectorate had jurisdiction to hear disputes between workers and employers.

19. Food self-sufficiency was a priority. The Government facilitated access to credit for fishermen, livestock farmers and crop farmers. Their respective trade unions were involved in drafting all public policies that affected them.

20. The standard of Comorian housing was generally decent even though it was not of a high standard. There had been a significant improvement in the standard of housing in recent years.

21. The right to health was basic. A strategic plan to strengthen capacity over the period 2010–2014 had been adopted. Important measures had been adopted to reduce child and maternal mortality. Since 2012, free access to emergency care had been introduced and the fee for caesarean sections had been halved. New health facilities had also been established.

22. Education was one of the drivers of socioeconomic development. The Educational Policy Act had been supplemented by four important documents: a report on the national education system, a sectoral framework paper on education, an educational policy paper, a mission statement from the head of State to the Minister for Education, Research, Culture and Arts with responsibility for Youth and Sport outlining government policy in the area of education, and the Education Master Plan for the period 2015–2020. Cross-cutting

strategies guaranteeing better access to education for all children had been developed as part of the interim education plans 2015–2020.

23. With regard to culture, the Government had established and supported cultural centres.

24. In an effort to enhance the protection of children, counselling services for children and women victims of abuse and ill-treatment had been strengthened. There were no shelters or reintegration centres for vulnerable children. Youth and vice units had been set up in police stations. A wing for minors had been built during the restoration of a prison.

25. The awareness-raising campaign on systematic birth registration was continuing. The systematic registration of all newborns was ensured thanks to the establishment of 99 civil registration centres in 2012.

26. As part of the fight against child labour, the National Committee for Human Rights and Freedoms had organized workshops on the worst forms of child labour for Koranic teachers in September 2013. The Government had organized national conferences on the worst forms of child labour in November 2013 and on sexual violence and all other forms of violence in March 2012. In partnership with the Indian Ocean Commission, the Government had organized regional conferences on violence against women and children in October 2013.

27. The draft revised Criminal Code included provisions prohibiting paedophilia, pornography, child trafficking, the worst forms of child labour, procuring, child abduction and child enslavement and trafficking.

28. The Government's work included public policy for persons with disabilities. The Convention on the Rights of Persons with Disabilities and its Optional Protocol were in the process of being ratified. Discussions were under way on adapting certain facilities for persons with disabilities. A fund had been set up to provide assistance to persons with disabilities. There was no discrimination against persons with disabilities.

29. The environment, protection of biodiversity and climate change were major areas of concern for the Government. The State had adopted a manifesto committing it to sustainable development.

30. Between 2009 and 2013, despite its limited resources, Comoros had addressed the issue of the interdependence of economic, social and cultural rights and civil and political rights.

B. Interactive dialogue and responses by the State under review

31. During the interactive dialogue, 58 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

32. Kuwait commended the promulgation of the Information and Communication Code, which promoted freedom of expression and information; the involvement of the private sector in policies to reduce unemployment, especially among young people; and legislation to promote social security and to facilitate access to medical coverage, including for vulnerable groups. Kuwait made a recommendation.

33. Libya commended the State's ratification of a number of human rights treaties and action to strengthen the health-care system, to provide free health care in emergency situations and to halve the cost of caesarean sections. Libya made a recommendation.

34. Madagascar commended the State's accession to several international instruments, the development of human rights legislation, the establishment of the National Committee

for Human Rights and Freedoms and the progress made in judicial reform, education and employment. It encouraged the State to make further efforts to promote and protect human rights. Madagascar made recommendations.

35. Thailand commended the efforts to incorporate human rights obligations into national legislation and the adoption of a national human rights policy. It encouraged the Government to ensure free access to education, but remained concerned about access to health care, especially for women and vulnerable groups. Thailand made recommendations.

36. Maldives congratulated the Comoros on its accession to the Rome Statute of the International Criminal Court and its ratification of the Convention on the Rights of Persons with Disabilities. It recognized the challenges faced in addressing certain human rights issues and noted the importance of strengthening the judicial system and police training to improve the enjoyment of human rights by vulnerable groups. Maldives made recommendations.

37. Mauritania welcomed the ratification of a number of international human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination, as well as the Geneva Conventions of 1949 and Additional Protocols I and II. It urged the Comoros to redouble its efforts to promote political stability and the rule of law.

38. Mauritius noted the steps taken to implement the recommendations accepted during the first UPR cycle. It acknowledged the establishment of the Supreme Court and the National Commission to Prevent and Combat Corruption, and the adoption of a human rights policy and a strategy paper on poverty reduction and growth. Mauritius made a recommendation.

39. Mexico noted the explicit recognition in the Constitution of the country's commitment to promoting human rights, and the formulation of a national policy to that end. It applauded the establishment of the National Committee for Human Rights and Freedoms, but emphasized the need to ensure that it was adequately resourced. It noted the efforts made to combat corruption. Mexico made recommendations.

40. Montenegro commended the efforts made to address forced and early marriage. It welcomed the renovation of short-stay prison facilities and requested details of the policy on improving prison and custodial facility conditions. It noted the draft legislation to amend the Criminal Code to abolish the death penalty. Montenegro made recommendations.

41. Morocco welcomed the political reforms and the holding of transparent local and national elections. It noted the efforts to align the National Committee for Human Rights and Freedoms with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), to ensure universal education and to combat poverty and unemployment through the national solidarity policy. Morocco made recommendations.

42. Mozambique noted the steps taken towards implementing the previous recommendations, particularly given the political instability in the country. It commended the establishment of the Human Rights Delegation and the submission of the State's report to the Committee on the Elimination of Discrimination against Women. International assistance was vital to ensure further progress in implementing the recommendations. Mozambique made a recommendation.

43. Germany welcomed the establishment of the National Commission to Prevent and Combat Corruption and the de facto moratorium on the death penalty. It expressed concern about reports of human rights violations in prisons, including excessive length of detention, overcrowding, a lack of food and a lack of health and sanitation facilities. Germany made recommendations.

44. Oman commended the adoption of a strategy for accelerated growth and sustainable development for the period 2015–2019, a strategy paper on poverty reduction and growth for the period 2010–2014 and public policies aimed at improving the population's health and supporting persons with disabilities. It noted that women enjoyed the same rights as men. Oman made a recommendation.

45. The Philippines appreciated the steps taken to improve health care and education for women and girls and to address child labour. It encouraged the Comoros to continue to improve its institutional and legislative frameworks in line with international standards and urged it to consider accelerating the process of amending its Criminal Code. It made a recommendation.

46. Portugal welcomed the adoption of measures to promote gender equality, notably through the creation of platforms for women in business, politics and sustainable development. It noted the efforts to ensure the right to education and the de facto moratorium on the death penalty. Portugal made recommendations.

47. Qatar commended the establishment of the National Commission for Human Rights and Freedoms and the Group on Follow-up to the Commitments of the Government relating to Human Trafficking, as well as the ratification of international human rights treaties. It noted the adoption of a strategy paper on growth and poverty reduction. Qatar made recommendations.

48. Saudi Arabia commended the enactment of legislation, in particular regarding health care and employment, the ratification of international treaties and the willingness to cooperate with the special procedures and human rights treaty bodies. It noted the vigorous action taken to promote human rights, despite a lack of resources. Saudi Arabia made a recommendation.

49. Senegal praised the establishment of the National Committee for Human Rights and Freedoms and the National Commission to Prevent and Combat Corruption, as well as the introduction of a national human rights policy. It noted the legislation adopted to combat violence against women and children. Senegal made recommendations.

50. Singapore noted the projects and programmes to reduce maternal and child mortality and to improve access to health-care services, especially for children. It noted the progress made in strengthening the right to education, evidenced by the increased school enrolment rate and a report prepared in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF). Singapore made recommendations.

51. Slovenia welcomed the reconsideration of the use of corporal punishment in homes and schools and encouraged the Government to prohibit and penalize corporal punishment of children in all settings. It welcomed the policies on gender equality but remained concerned at the high rate of violence against women. Slovenia made recommendations.

52. Somalia welcomed the delegation of the Comoros and congratulated it on the excellent presentation of its thorough and transparent report and on the progress made. It applauded the implementation of most of the recommendations accepted during the first UPR cycle. Somalia made recommendations.

53. South Sudan praised the Comoros on its efforts to strengthen institutional and legislative frameworks. It welcomed the amendments to the Constitution to incorporate human rights principles and the signing and ratification of international human rights instruments. It encouraged the country to continue to cooperate with human rights mechanisms. South Sudan made recommendations.

54. Spain noted the progress in the field of human rights, including the development of a constitutional and legal framework, ratification of various human rights instruments and efforts to combat gender-based violence. It noted with appreciation that the Constitution provided for religious freedom and commended the ratification of the Convention on the Rights of Persons with Disabilities. Spain made recommendations.

55. Malaysia noted the inclusion of human rights standards in national legislation and the improvements in protecting the rights of women and children. It commended the efforts to combat child labour, to increase school enrolment and access and to eradicate illiteracy. It called on the international community to provide support and assistance. Malaysia made a recommendation.

56. Togo welcomed the institutional strengthening, including the establishment of the National Commission for Human Rights and Freedoms, the National Commission to Prevent and Combat Corruption and the General Office for Solidarity and Gender Advocacy. It noted the initiatives that had been taken, despite the limited resources, in the areas of health care, education and women's rights. Togo made recommendations.

57. Egypt commended the efforts that had been made to protect and respect human rights despite the technical and institutional challenges and a lack of resources. It noted the adoption of a national human rights policy, the establishment of the National Commission for Human Rights and Freedoms and action to combat and prevention corruption. Egypt made recommendations.

58. The United Arab Emirates welcomed efforts in the area of economic, social and cultural rights to strengthen the infrastructure required for development programmes and a strong economy. It commended the steps taken to combat poverty and guarantee social justice. It requested details about the national human rights policy and results achieved. It made recommendations.

59. The United Kingdom of Great Britain and Northern Ireland welcomed the engagement of the Comoros in the UPR process, but said that more progress was needed. It noted that the Comoros had signed, but not ratified, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The Comoros should take action in the areas of religious freedom and access to justice. The United Kingdom made recommendations.

60. The United States of America commended the democratic reforms, the trials of coup plotters and the continued civilian governance, but noted that official corruption, the ineffectiveness of and corruption within the judicial system and collective bargaining rights remained a concern. It urged the Comoros to allow increased access to prisons, and noted poor detention conditions. It made recommendations.

61. The Comorian delegation thanked the representatives of Member States for their positive assessments and encouragement and said that it had taken note of their comments.

62. In response to questions from Germany, Madagascar, Mexico and the United States of America, the Comorian delegation said that its prisons were indeed in a dire state and requested the help of the international community to bring them up to an acceptable standard and ensure the reintegration of former prisoners into society.

63. In response to questions from Brazil, Chad, Egypt, Mozambique, Slovenia, Togo and the United Kingdom, the Comorian delegation said that the ratifications requested at the 2009 universal periodic review had been done. The delegation acknowledged that the instruments of ratification had not reached the United Nations Secretariat but said that they would do so shortly and that Comoros would ratify the conventions and treaties that had not been ratified.

64. In response to the question from Kuwait, the Comorian delegation stated that freedom of expression was guaranteed and that there was freedom of the press. Freedom of the press was reflected in the proliferation of media outlets. Powerful trade unions in almost all sectors were a vital component of civil society.

65. In response to questions from Djibouti, Germany, Mexico, Morocco, Senegal and Thailand, the Comorian delegation said that the Government was making the necessary effort to increase the financial resources of the National Committee for Human Rights and Freedoms, and that the independence of the Committee was guaranteed.

66. In response to questions from Kuwait, Madagascar, Malaysia, Mauritania, Morocco and Senegal, the Comorian delegation said that creating jobs and reducing unemployment were major concerns. That concern was reflected in the promotion of the private sector, which generated the most wealth and employment. The establishment of the Employment Centre was an important step. Microfinance was being developed and access to credit facilitated.

67. In response to questions from Algeria, Morocco and the United Kingdom, the Comorian delegation said that the small size of the territory facilitated access to justice and that mobile hearings were held regularly. The Government planned to provide legal assistance for anyone without adequate means. There were also plans for a community-based justice system.

68. In response to questions from Botswana, Montenegro, Spain and the United States of America, the Comorian delegation said that the bill on the revision of the Criminal Code provided for the abolition of the death penalty. The moratorium on executions was observed.

69. In response to the question from the United States of America, the Comorian delegation said that corruption was a fact of life. Administrative and judicial measures were taken regularly in cases where corruption was found. A National Commission to Prevent and Combat Corruption had been set up. The high turnover of ministers of justice was not related to corruption but to specifically political problems.

70. In response to the questions from Djibouti, Libya, Madagascar, Montenegro, Morocco, Qatar, Singapore and Thailand, the Comorian delegation stated that the Government's health policy prioritized maternal and child health. Huge progress had been made in ensuring that vulnerable persons had access to health care.

71. In response to the questions from Djibouti, Portugal and Thailand, the delegation said that women in Comoros had power and did not have lower social status. They were protected by traditional mechanisms. For example, in the event of divorce, the husband left the marital home and let the wife occupy it. In keeping with tradition, women were given preference in inheritance. Women played a powerful role in various community associations, particularly in relation to tontines, agriculture and livestock farming. They did well in business and had a major influence on political decisions. In the home, they had an influence on decision-making. Women figured prominently in public decision-making bodies and strategic administrative positions. The minimum age for marriage was 18. The Family Code and the Criminal Code prohibited early marriage.

72. In response to the questions from Germany, Ghana, Mexico, the United Kingdom and the United States of America, the delegation said that Comoros had a very long tradition of religious tolerance. There was an unwritten rule of mutual respect between all religious communities, and they refrained from proselytizing. Sects were not permitted. On that basis, no one was punished for their religious beliefs. However, the Government was vigilant against attempts to exploit religion for political motives.

73. In response to the questions from Brazil, the Netherlands and Spain, the Comorian delegation said that homosexuality was punished under the Criminal Code. There was not currently a political majority in the Assembly to amend the law.

74. Uruguay applauded the acceptance of most recommendations made during the first UPR cycle and the endeavours to implement them. It noted the creation of government departments to promote gender equality and efforts to harmonize national legislation with the Convention on the Elimination of All Forms of Discrimination against Women. It noted the construction of new schools and increased school enrolment. Uruguay made recommendations.

75. The Bolivarian Republic of Venezuela welcomed the constitutional reform and the development of a national human rights policy. It noted the increased school enrolment and the Interim Education Plan for the period 2013–2015 and that health-related strategies had led to free emergency care, nutrition programmes and malaria campaigns. It made a recommendation.

76. Yemen welcomed the clear description in the national report of the human rights situation and the challenges faced. It welcomed the ratification of, accession to or signing of the following treaties: the Convention on the Rights of the Child, the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the United Nations Convention against Corruption. Yemen made a recommendation.

77. Afghanistan welcomed the comprehensive national report. It noted the adoption of a national human rights policy and efforts towards effective judicial administration. It commended the steps taken to reduce unemployment, provide free emergency health care, combat child labour and increase school enrolment. Afghanistan made a recommendation.

78. Algeria noted that several international legal instruments had been incorporated into national legislation in the areas of health care, work, transparency and the public sector. It welcomed the policies to promote human rights and the measures to improve the situation of vulnerable people, children, women and persons with disabilities. Algeria made recommendations.

79. Angola commended the adoption of a national human rights policy and an accelerated growth and sustainable development strategy for the period 2015–2019 with a view to implementing the recommendations accepted during the first cycle. It further commended the State's ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Angola made a recommendation.

80. Argentina welcomed the implementation of public policies and the adoption of a national human rights policy. It urged the Comoros to step up efforts to fulfil its international commitments. It welcomed the State's accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Argentina made recommendations.

81. Australia welcomed the establishment of the National Commission for Human Rights and Freedoms and the efforts to promote gender equality, address trafficking of women and children, prohibit child labour, combat corruption and abolish the death

penalty. It expressed concern about reports of irregular arrest procedures, the length of detention and prison conditions. Australia made recommendations.

82. Azerbaijan commended the State's accession to the core international human rights instruments. It highlighted the reform of the Criminal Code and Code of Criminal Procedure and the process undertaken to incorporate international human rights instruments in national legislation. Azerbaijan noted educational reforms. It made recommendations.

83. Bahrain commended action to promote gender equality, notably the involvement of women in decision-making bodies, the creation of platforms for women in business and politics and the enhancement of the role of women in sustainable development. It commended the holding of meetings on sexual and other forms of violence. Bahrain made a recommendation.

84. Botswana welcomed the holding of democratic elections at the national and local levels and the establishment of the Supreme Court. It encouraged continued strengthening of the legal and institutional framework. It asked what measures would be taken to combat human trafficking and requested information on the status of the new Criminal Code. Botswana made recommendations.

85. Brazil praised the enhanced organizational structures in human rights. It expressed its appreciation for the successful national elections held in 2010, which marked an important step towards the consolidation of democracy and institutional strengthening. It expressed its view that the Comoros could take further steps with respect to sexual orientation and women's rights. Brazil made recommendations.

86. Cabo Verde noted that insufficient resources and entrenched social traditions posed a challenge to change. However, it welcomed the adoption of a national human rights policy, the new Criminal Code and Code of Criminal Procedure, a strategy and plan to tackle corruption and a national education plan. It made recommendations.

87. Canada asked whether a procedure to receive and handle complaints of employment discrimination had been established. It welcomed the adoption of a national human rights policy and the establishment of the National Commission for Human Rights and Freedoms. It noted the steps to ensure women's active participation in the economy. Canada made recommendations.

88. Chad noted that constitutional amendments had led to the strengthening of institutions, ensuring the incorporation of the universal values of human dignity, tolerance and freedom into domestic legislation. It welcomed the measures taken to implement previous recommendations and the information that the Comoros was a party to the core international human rights instruments. Chad made recommendations.

89. China congratulated the Comoros for strengthening the rights of women, children and persons with disabilities and for its commitment to enhancing the enjoyment of rights relating to health care and education and other social and cultural rights. China made a recommendation.

90. The Congo noted the institutional reforms, notably the adoption of a national human rights policy and the creation of a national human rights commission and a transparent public finance management system. Further efforts should be focused on the administration of justice, equality and non-discrimination and the right to education. The Congo made a recommendation.

91. Cuba welcomed the measures taken to guarantee the right to education and efforts to stamp out illiteracy nationwide. It commended the initiatives to improve access to health-care services, especially emergency health care; to reduce surgery costs, including for

caesareans; and to improve the infrastructure of the health-care system. Cuba made recommendations.

92. Djibouti encouraged the Comoros to continue to collaborate with its international partners, especially to provide adequate training for staff in the newly created human rights institutions. It welcomed the initiatives to ensure better access to maternal and child health care. It requested more information on the status of amendments to criminal legislation. Djibouti made recommendations.

93. Tunisia commended the amendments to the Constitution and the enactment of numerous laws aimed at promoting human rights. It welcomed the establishment of the National Commission for Human Rights and Freedoms and the General Office for Solidarity and Gender Advocacy. Tunisia made recommendations.

94. Ethiopia commended the Comoros on the adoption of a national human rights policy, which would strengthen efforts to promote and protect human rights. It noted with appreciation the ratification of the Convention on the Rights of Persons with Disabilities. Ethiopia made recommendations.

95. France welcomed the efforts to implement a number of the recommendations accepted in the first UPR cycle. It praised the creation of the National Commission for Human Rights and Freedoms and the establishment of the National Commission to Prevent and Combat Corruption. France made recommendations.

96. Gabon commended the Comoros for acceding to or ratifying core international and regional human rights instruments and for establishing the National Commission for Human Rights and Freedoms. It welcomed the amendments to the Criminal Code and the Code of Criminal Procedure aimed at abolishing the death penalty. Gabon made a recommendation.

97. The Netherlands noted the country's commitment to equality and non-discrimination and, in particular, the measures to address domestic and sexual violence against women. However, it remained concerned about violence against women and the lack of victim protection measures and encouraged continued efforts in those areas. It made recommendations.

98. Ghana commended the establishment of the Supreme Court and the various national institutions to promote and protect human rights and to combat corruption. Ghana supported the country's appeal to the international community for assistance in strengthening the relevant institutions with the necessary human, financial and technical capacity. Ghana made recommendations.

99. Indonesia expressed its appreciation for the steps taken to strengthen the legal and institutional framework, including the establishment of a national human rights policy and the National Commission for Human Rights and Freedoms. It welcomed the State's efforts to ensure children's rights, in particular the awareness-raising programmes developed to combat child labour. Indonesia made recommendations.

100. Iraq welcomed the adoption of strategies for accelerated growth, sustainable development and poverty reduction and of a capacity-building plan. It commended the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, and the establishment of the Human Rights Delegation, the National Commission for Human Rights and Freedoms and the National Network of Gender Advocates. Iraq made recommendations.

101. Ireland welcomed the introduction of a national human rights policy and legislation establishing a national human rights institution, as well as the State's ratification of the

Rome Statute. It noted that the Comoros was not a party to certain fundamental international human rights instruments, and noted concerns expressed by treaty bodies regarding women's illiteracy rates and gender disparity in education. Ireland made recommendations.

102. Kenya noted the establishment of the National Commission for Human Rights and Freedoms and encouraged the Comoros to ensure that it was adequately resourced. It welcomed the Government's commitment to ensuring the full implementation of the recommendations accepted in the first UPR cycle and its continuing efforts to that end. Kenya made a recommendation.

103. The Comorian delegation expressed its gratitude to the Human Rights Council, the troika that had facilitated the universal periodic review of the human rights situation in Comoros, the permanent mission of Switzerland to the United Nations Office at Geneva, the International Organization of La Francophonie, the Office of the United Nations High Commissioner for Human Rights, the Office of the Resident Coordinator of the United Nations System in Comoros and all those who had supported Comoros in the exercise.

104. The delegation had taken due note of the comments made by all the speakers and would draw lessons for the future.

105. The delegation said that the Government was determined to continue its efforts to promote, protect and realize human rights, which was an ongoing process.

106. The delegation invited the special rapporteurs and treaty body experts to visit Comoros.

107. It appealed to countries and organizations to support the implementation of the recommendations from the second round of the universal periodic review.

108. The delegation thanked the States that had expressed their willingness to support Comoros.

109. The delegation said that instability, economic weakness and pressing social demands must not be allowed to derail the efforts made to date or jeopardize what remained to be achieved in the area of human rights in Comoros.

II. Conclusions and/or recommendations**

110. **The recommendations listed below have been examined by the Comoros and enjoy its support:**

110.1 **Proceed with the formal abolition of the death penalty and sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Germany);**

110.2 **Ratify the Optional Protocol to the ICCPR, aiming at abolishing the death penalty and proceed with abolishing the death penalty for all crimes (Slovenia);**

110.3 **Sign the Second Optional Protocol to the International Convention on Civil and Political Rights, aiming at the abolition of the death penalty, as a step towards accelerating the approval of the new draft Penal Code and the draft Criminal Procedure Code that would include the abolition of the death penalty (Uruguay);**

** The conclusions and recommendations have not been edited.

110.4 **Adopt a de jure moratorium and ratify the Second Optional Protocol to the ICCPR, with a view to abolition of the death penalty (Portugal);**

110.5 **Ratify the Second Protocol to the ICCPR (Australia);**

110.6 **Abolish the death penalty and ratify the Second Optional Protocol to the ICCPR (France);**

110.7 **Speed up the process of adopting the new Penal Code that foresees the abolition of the death penalty (Togo);**

110.8 **Adopt the abolition of the death penalty, or at least a moratorium on its application, as it has already done twice in 1977 and 1998 (Spain);**

110.9 **Abolish de jure the death penalty (Montenegro);**

110.10 **Continue to strengthen the legal framework for the promotion and protection of human rights, including through the ratification of the ICCPR and ICESCR, which are key instruments for the promotion and protection of a number of other fundamental rights, as well as the ICRMW (Indonesia);**

110.11 **Ratify the Optional Protocol to the ICESCR and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);**

110.12 **Continue its efforts to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, as well as other principal international human rights instruments to which the country has not yet been party (Argentina);**

110.13 **Proceed with the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (France);**

110.14 **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, and strengthen institutional capacity at the national and island levels to implement gender equality policies and programs (Australia);**

110.15 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which the Comoros signed in 2000 (Ghana);**

110.16 **Continue the procedures of ratifying the Convention on the Rights of Persons with Disabilities (Iraq);**

110.17 **Consider ratifying the African Charter on Democracy, Elections and Governance (Ethiopia);**

110.18 **Ensure the independence of the National Commission for Human Rights and Freedoms, and provide it with adequate human and financial resources in the fulfilment of its mandate (Thailand);**

110.19 **Continue its efforts to adopt good governance and strengthen the role of the National Commission for Human Rights (Yemen);**

110.20 **Ensure compliance of the National Commission of Human Rights and Freedoms with the Paris Principles (France);**

110.21 **Implement successfully the national human rights policy and continue the process of incorporation of international human rights instruments into the national legislation (Azerbaijan);**

110.22 **Enhance efforts in requesting technical assistance to strengthen the function of the existing institutions to promote rights and freedoms (Qatar);**

110.23 **Take further steps to increase the independence of the Anti-Corruption Agency so that it may thoroughly investigate credible allegations of corruption, and increase the number of prosecutions of these cases within the judicial system (United States of America);**

110.24 **Guarantee the independence of various human rights and anti-corruption institutions (Ghana);**

110.25 **Intensify its efforts to fight corruption, including by raising public awareness (Australia);**

110.26 **Continue the successful and important practice of accession to the core international human rights instruments (Azerbaijan);**

110.27 **Engage in a dissemination and popularization campaign of major international human rights instruments in the whole national territory (Congo);**

110.28 **Continue its cooperation with United Nations human rights instruments (Azerbaijan);**

110.29 **Continue its efforts aimed at improving the coordination among national human rights institutions and the treaty bodies (Angola);**

110.30 **Enhance the functions of the national institutions to accelerate the process of submitting periodic reports to Treaty Bodies (Iraq);**

110.31 **Extend a standing invitation to all thematic Special Procedures (Montenegro);**

110.32 **Ensure the independence of the National Institution for Human Rights and grant it the necessary means to function in accordance with the Paris Principles, and issue a standing invitation to Mandate Holders of the Human Rights Council (Tunisia);**

110.33 **Expand the space for independent activities of civil society groups and issue a standing invitation to the special procedures to visit the Comoros (Ghana);**

110.34 **Develop a national strategic action plan for the prevention of all forms of violence against women as noted by CEDAW (Maldives);**

110.35 **Adopt a law on violence against women and ensure its implementation (Slovenia);**

110.36 **Adopt a comprehensive law on violence against women, with a particular emphasis on the protection of victims, accountability of perpetrators as well as on awareness-raising to encourage reporting of domestic and sexual violence (Portugal);**

110.37 **Establish specialized support centres for victims of sexual violence or victims of sexual aggression against women and children (Bahrain);**

110.38 **Establish shelters and other facilities for victims of violence, including domestic and sexual violence, and ensure their adequate medical, psychological, legal and financial support, and combat domestic and sexual violence through, inter alia, public awareness campaigns, education, and the promotion of equal**

and non-discriminatory access to employment opportunities, health infrastructure, water and sanitation facilities, and justice (Germany);

110.39 **Increase its efforts to combat sexual and domestic violence against women (Netherlands);**

110.40 **Strengthen the protection of women from violence, fight against impunity for perpetrators of violence against women and take specific measures for victims (France);**

110.41 **Continue its efforts to eliminate all forms of violence and discrimination against women (Tunisia);**

110.42 **Intensify the implementation of measures that allow the elimination of all forms of discrimination against women (Uruguay);**

110.43 **Continue more efforts to combat discrimination against women (South Sudan);**

110.44 **Raise awareness and disseminate in the civil society the norms contained in the CEDAW, in a language accessible and clear for the local people, through partnership collaboration with the civil society (Uruguay);**

110.45 **Strengthen necessary policies to respect and promote women's rights and their role in various fields, given that women are key partners in the development process (Egypt);**

110.46 **Continue the reforms in the area of women's rights, including regarding patrimonial status and particularly regarding forced and underage marriages (Cabo Verde);**

110.47 **Continue awareness-raising of the population, in particular women, on human rights and new national institutions, as well as put in place sensitization regarding stereotypes associated to human rights (Djibouti);**

110.48 **Continue to intensify its efforts to further promote and protect women's rights by allocating the necessary resources and to implement awareness-raising activities on the importance of women's participation in the decision-making process, and to take measures to increase their participation in political and public life (Malaysia);**

110.49 **That substantial advances be sought on the realization of the rights of women, particularly towards increasing their share in decision-making positions and in politics in general (Brazil);**

110.50 **Strengthen its efforts for the promotion of equality between men and women, and take measures to increase the active participation of women in political and public life (Canada);**

110.51 **Strengthen the promotion of activities generating income for women (Madagascar);**

110.52 **Improve the access of women in rural areas to justice and activities that allow them and their families to improve their living standards (Algeria);**

110.53 **Take adequate measures to combat human trafficking (South Sudan);**

110.54 **Intensify its fight against all forms of discrimination and the exploitation of children of poor families (Gabon);**

110.55 **Take steps to improve detention conditions of prisoners and strengthen independent control mechanisms. Special emphasis should be on the**

identification of alternative approaches to imprisonment as well as on the societal reintegration of prisoners (Germany);

110.56 **Take measures to improve prison conditions, in particular in the areas of food and sanitation, and ensure that the rights of prisoners are respected in accordance with international law standards (Mexico);**

110.57 **Improve detention conditions so that they are favourable to the respect of dignity of prisoners (Madagascar);**

110.58 **Continue the judicial reform with a view to improving the access to justice by promoting a better territorial coverage and upgrading the penitentiary administration (Morocco);**

110.59 **Improve conditions of detention consistent with international obligations and afford greater flexibility in granting human rights and humanitarian organizations access to detention centres (United States of America);**

110.60 **Review the rights of detainees and conditions in local prisons and detention facilities so that they meet international standards, in particular where juvenile offenders are concerned (Australia);**

110.61 **Extend measures to improve the living conditions of juveniles in detention in place in Anjouan and in facilities of Moroni and Fomboni, as well as put in place childcare facilities for victims of child abuse (Djibouti);**

110.62 **Uphold the educational concept for minors sentenced to youth custody and maintain separate detention facilities for minors (Germany);**

110.63 **Decriminalize defamation, and continue national measures to promote the independence of the media (Ghana);**

110.64 **Continue its efforts to combat unemployment, and to work on laying the ground for suitable economic environment that creates more job opportunities for youth (Kuwait);**

110.65 **Initiate and implement in place programs focusing on employability, entrepreneurship and microcredit with a view to allowing young unemployed people a better insertion into the employment market (Morocco);**

110.66 **Work on future efforts for the advancement of economic affairs in order to promote the rights related to employment, education, health care and housing (Saudi Arabia);**

110.67 **Further strengthen its social programs and policies in favour of its people, with a special emphasis on economic, social and cultural rights, for which the international solidarity is indispensable (Venezuela (Bolivarian Republic of));**

110.68 **Generate adequate infrastructure so that all citizens have access to safe drinking water for human consumption (Spain);**

110.69 **Step up its efforts in ensuring free universal healthcare services for all (Thailand);**

110.70 **Improve the conditions of the access of vulnerable people to healthcare (Madagascar);**

110.71 **Enhance cooperation with the relevant United Nation organizations to continue the efforts to reduce maternal and child mortality and improve the access of children to health care (Qatar);**

110.72 **Continue to promote programs and intensify the initiatives aiming at providing health care for motherhood and childhood (Oman);**

110.73 **In cooperation with relevant international organizations, continue to improve its people's access to quality and affordable health care (Singapore);**

110.74 **Improve access to health care for vulnerable groups, including pregnant women, as well as take measures to reduce child mortality (Slovenia);**

110.75 **Continue taking measures to improve its population's access to health services (Cuba);**

110.76 **Improve the quality of health services and education for the population, and particularly for children (Algeria);**

110.77 **Continue efforts to further improve the standards of living of its population with emphasis on improving access to education and eliminate illiteracy definitively (Cuba);**

110.78 **Strengthen measures taken to ensure access to education and healthcare within the available means (Ethiopia);**

110.79 **Facilitate the access of children to primary education (Madagascar);**

110.80 **With support from the relevant international organizations, continue to implement its education program to ensure access to quality education for all (Singapore);**

110.81 **Continue efforts to promote the education of children and to develop training and higher institutions (Somalia);**

110.82 **Identify the causes and adopt measures to ensure the permanence of minors in general and of girls in particular, in the education system (Uruguay);**

110.83 **Further focus on children's access to primary education and speed up the process of implementing "The Interim Education Plan" and further promote the return to school of children who have dropped out (Afghanistan);**

110.84 **Continue the reforms undertaken in the field of education (Azerbaijan);**

110.85 **Continue efforts to enhance enrolment of girls in school and minimize the dropout rate, and enhance literacy levels especially among women (Ghana);**

110.86 **Take further measures to reduce the gender disparity in primary and secondary school and address the causes of the high dropout rates of adolescent girls, notably those outlined by the Committee on the Elimination of All Forms of Discrimination against Women in its concluding observations on the periodic reports of the Comoros (Portugal);**

110.87 **Take steps to increase the participation of girls in the education system (Ireland);**

110.88 **Continue its efforts in advancing the right to education, including in ensuring access and permanence of education, especially for girls, women and children with disabilities (Indonesia);**

110.89 **Consider including human rights education in the 2015–2020 overall education plan (Mauritius);**

110.90 **Incorporate the education of human rights in its school curricula in order to raise human rights awareness among the people (Libya);**

110.91 **Ensure adequate access for people with disabilities to all buildings, information, communication, education and all means of transportation (Spain);**

110.92 **Improve the condition of access of vulnerable persons, particularly those with disabilities, pregnant women, children and the elderly, to healthcare (Togo);**

110.93 **Enhance efforts aimed to achieve additional progress in the process of promoting economic, social and cultural rights, especially the rights of women, children and people with disabilities (Egypt);**

110.94 **Ensure that the implementation of programs supported by loans from the International Monetary Fund and the World Bank should not be carried out at the expense of basic social sectors such as education and health, nor should it exclude the marginalized vulnerable groups such as children, women and people with disabilities (United Arab Emirates);**

110.95 **Continue to take measures to eradicate poverty and ensure a better access to education and health services (Morocco);**

110.96 **Continue pursuing its anti-poverty strategy, strengthen the rights of vulnerable groups, and make efforts to realize sustainable economic and social development (China);**

110.97 **Step up the actions for the fight against poverty, in particular in rural areas (Senegal);**

110.98 **Continue its efforts to promote international cooperation in the fight against severe consequences of climate change in order to reduce the environmental vulnerability that is crucial for the enjoyment of vital human rights and call upon the international community to provide material and financial assistance to the Comoros (Somalia);**

110.99 **Strengthen its cooperation with its development partners and various United Nations entities as a way to facilitate the implementation of its socioeconomic programs and implement the recommendations that it will accept in its UPR cycle (Philippines);**

110.100 **Conduct appropriate programs towards increasing participation and enhance participation of civil society in decision-making and development process (Maldives);**

110.101 **Continue to pursue and redouble efforts to put in place the country's development plans and strategies with a focus on improving the situation of economic and social rights of its citizens (Somalia);**

110.102 **Call upon the Comoros to mobilize all its efforts and energies to ensure the full and effective implementation of the strategy for rapid growth and sustainable development adopted by the government for the period 2015–2019 (United Arab Emirates).**

111. **The following recommendations enjoy the support of the Comoros, which considers that they are already implemented or in the process of implementation:**

111.1 **Ratify the ICCPR and CAT (Botswana);**

111.2 **Accelerate the ratification of both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention against Torture (CAT) and its Optional Protocol (OP-CAT) (Tunisia);**

111.3 **Consider ratifying the International Covenant on Civil and Political Rights (Ethiopia);**

111.4 **Accelerate the processes of ratification of different instruments for human rights protection with a special emphasis on the International Covenant of Economic, Social and Cultural Rights and the International Covenant of Civil and Political Rights (Uruguay);**

111.5 **Envisage to ratify international instruments already signed, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Cabo Verde);**

111.6 **Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both signed in 2008, as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, signed in 2000 (Ireland);**

111.7 **Consider completing the ratification processes relating to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture (Kenya);**

111.8 **Consider legal reform to improve access to justice for the poorest plaintiffs, including measures to address high lawyer fees and the centralization of courts (United Kingdom of Great Britain and Northern Ireland);**

111.9 **Implement national texts related to the rights of children and women (Madagascar).**

112. **The following recommendations will be examined by the Comoros, which will provide responses in due time, but no later than the twenty-sixth session of the Human Rights Council in June 2014:**

112.1 **Ratify or accede to international human rights instruments, to which the Comoros is not yet party (Togo);**

112.2 **Continue adopting a positive perspective towards the accession to international human rights treaties that the Comoros has not yet acceded to (Egypt);**

112.3 **Carry out a revision of the various legal systems in use, Islamic, civil and customary, to ensure that its treatment of women is uniform and in line with provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Mexico);**

112.4 **Adopt the legislation explicitly prohibiting the corporal punishment of children in all settings, including home (Slovenia);**

112.5 **Prohibit, by law, all forms of violence against children, including corporal punishment, as well as establish a minimum legal age for marriage (Portugal);**

112.6 **Continue with measures aimed at ensuring that all births of children are registered, particularly by reviewing the legislation to ensure that all children born in the territory can acquire the nationality, and avoid cases of statelessness (Argentina);**

112.7 **Undertake a thorough assessment of the issue of trafficking in persons and take adequate measures, including enactment of adequate legislation to combat the practice as recommended by the UNHCR (Botswana);**

112.8 **Strengthen the institutional framework for the protection of children's rights by setting up welcome centres and socio-professional training (Senegal);**

112.9 **Take the necessary measures to prohibit the use of corporal punishment against children (France);**

112.10 **Ratify the international human rights treaties, to which it is not yet party, and cooperate with the OHCHR, treaty bodies and Special Procedures (Chad);**

112.11 **Review the judicial system in order to ensure that the provisions of civil law, Islamic law and customary law conform to the provisions of CEDAW (Canada);**

112.12 **Take measures to ensure the respect of freedom of religion and to end all types of reprisals against those who converted from Islam (Mexico);**

112.13 **Continue its efforts to promote religious freedom, and continue to broaden the space for interfaith dialogue (Ghana).**

113. **The recommendations below did not enjoy the support of the Comoros:**

113.1 **Endeavour to implement the remaining recommendations of the previous UPR review (Mozambique);**

113.2 **Initiate a debate on the decriminalization of homosexuality (Spain);**

113.3 **Review the report of the High Commissioner on sexual orientation and gender identity and give consideration to implementing its recommendations (Netherlands);**

113.4 **Repeal all provisions giving rise to discrimination based on sexual orientation or gender identity and ensure respect for fundamental freedoms for all citizens (France);**

113.5 **Take steps to avoid discrimination and violation of the human rights of the LGBT population (Brazil);**

113.6 **Decriminalize religious proselytism and religious freedom (Spain);**

113.7 **Put measures in place to better protect religious freedom, including through bringing the older Penal Code, which prohibits conversion from Islam, in line with the Constitution, and enabling people of all religions to practice religion openly without risking discrimination (United Kingdom of Great Britain and Northern Ireland);**

113.8 **Guarantee and protect freedom of religion or conscience for all its citizens (France).**

114. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English/French only]

Composition of the delegation

The delegation of the Comoros was headed by Dr Abdou Ousseni, Ministre de la Justice en charge des Droits de l'Homme and composed of the following members:

- Mr. Mohamed Ahmed Allaoui, Président de la Commission Nationale;
- Mr. Saëndou Djazila, Délégué aux Droits de l'Homme et Président du comité d'élaboration;
- M. l'Ambassadeur Ahamada Hamadi, Représentant le Ministère des Relations Extérieures et de la Coopération;
- M. l'Ambassadeur Sultan Chouzour, Représentant Permanent de l'union des Comores auprès de l'ONUG et des autres organisations internationales.

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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Comoros

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies by the State party under review

* The present document was not edited before being sent to the United Nations translation services.

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Introduction

1. During the 2014 universal periodic review, the Comorian Delegation decided to defer a decision on the acceptance or rejection of 13 recommendations in preparation for the 2018 universal periodic review in order to seek the views of the Government. At the twenty-sixth session of the Human Rights Council next June, the Union of the Comoros will have to confirm its definitive stance on these 13 recommendations.

2. The Government of the Union of the Comoros, committed to its strategy for the effective integration of human rights into all public policies and concerned about preserving the dignity and integrity of the human person, greatly appreciated the work of the twenty-fifth session of the Human Rights Council and noted with satisfaction and encouragement the performance of its delegation. It expresses its gratitude to all the structures and bodies of the universal periodic review and the United Nations human rights system.

3. It is aware of the efforts made by many friends of the Union of the Comoros to ensure the success of the universal periodic review process.

4. The Government confirms the decisions made by its delegation, specifically the acceptance of 113 and rejection of 8 recommendations.

5. It therefore reaffirms that at the close of the 2014 universal periodic review, the Union of the Comoros accepted a total of 125 recommendations and rejected 9.

6. Thus, of the 13 recommendations deferred, 12 were accepted and 1 was rejected.

7. The Government asks partners to be understanding and to support the Union of the Comoros in the implementation of the recommendations accepted, with a view to the greater observance, protection and enjoyment of human rights.

8. The political will demonstrated by the Comorian Government with regard to human rights must be supported by strong partnerships in all social strata and sectors.

9. At the twenty-sixth session of the Human Rights Council, the delegation of the Comoros will have the mandate, inter alia, to continue to advocate for effective support in order to improve human rights infrastructure and capacities.

10. The following paragraph provides further details of the Comorian Government's decision on the 13 recommendations deferred during the universal periodic review of 2014.

I. Recommendations accepted

Of the 13 recommendations deferred, the 12 that were accepted are as follows:

Ratify or accede to international human rights instruments, to which the Comoros is not yet party (Togo);

Continue adopting a positive perspective towards the accession to international human rights treaties that the Comoros has not yet acceded to (Egypt);

Explanation

11. In keeping with the tolerance that characterizes our country, the Union of the Comoros is considering the possibility of acceding to certain treaties to which our country is not party. The development of Comorian society could, in the long term, facilitate accession to certain treaties. However, we maintain our position of principle regarding the right to refuse accession to certain treaties which would conflict with Comorian religious beliefs and national unity.

Carry out a revision of the various legal systems in use, Islamic, civil and customary, to ensure that its treatment of women is uniform and in line with provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Mexico);

Explanation

12. Efforts to eliminate all forms of discrimination against women are part of the Government's ongoing and regular activities. The country has signed various treaties to this end. At the national level measures are being taken to achieve gender equity and the participation of women in decision-making. Consideration is being given to harmonizing the legal systems that have resulted from developments in Comorian society. It should be noted that current legislation and common law favour tolerance, equity and equality.

Adopt the legislation explicitly prohibiting the corporal punishment of children in all settings, including home (Slovenia);

Explanation

13. The new criminal code currently being adopted contains provisions to criminalize corporal punishment.

Prohibit, by law, all forms of violence against children, including corporal punishment, as well as establish a minimum legal age for marriage (Portugal);

Continue with measures aimed at ensuring that all births of children are registered, particularly by reviewing the legislation to ensure that all children born in the territory can acquire the nationality, and avoid cases of statelessness (Argentina);

Undertake a thorough assessment of the issue of trafficking in persons and take adequate measures, including enactment of adequate legislation to combat the practice as recommended by the UNHCR (Botswana);

Strengthen the institutional framework for the protection of children's rights by setting up welcome centres and socio-professional training (Senegal);

Take the necessary measures to prohibit the use of corporal punishment against children (France);

Ratify the international human rights treaties, to which it is not yet party, and cooperate with OHCHR, treaty bodies and Special Procedures (Chad);

Review the judicial system in order to ensure that the provisions of civil law, Islamic law and customary law conform to the provisions of CEDAW (Canada);

Continue its efforts to promote religious freedom, and continue to broaden the space for interfaith dialogue (Ghana).

II. Recommendations rejected

Take measures to ensure the respect of freedom of religion and to end all types of reprisals against those who converted from Islam (Mexico).

Conclusion

14. Of the 13 recommendations deferred when adopting the report on the universal periodic review on 4 February 2014, in order to seek the views of the Government, those

accepted should be added to the list of the 113 recommendations that will provide the framework for the 2018 universal periodic review.

15. The Union of the Comoros is expected to provide definitive confirmation of these recommendations at the twenty-sixth session of the Human Rights Council in June 2014 in Geneva.

16. The Comorian Government therefore requests further support from the international community in facilitating the adoption of all appropriate measures in order to ensure better implementation of the recommendations from the second universal periodic review cycle and the smooth preparation of the 2018 report. This should enable the country to maintain the better situation in the area of the protection, observance and enjoyment of human rights that it achieved this year.

17. This, situation, much sought after by all countries, will help to enhance the State's image and to gain the favour of development partners.